

INSURANCE DIVISION[191]

Adopted and Filed

Pursuant to the authority of Iowa Code section 507B.12, the Insurance Division hereby amends Chapter 15, "Unfair Trade Practices," Iowa Administrative Code.

The rules in Chapter 15 establish certain minimum standards and guidelines of conduct by identifying unfair methods of competition and unfair or deceptive acts or practices in the business of insurance, as prohibited by Iowa Code chapter 507B. The new subrule provides that an action by an insurer not in compliance with the Genetic Information Nondiscrimination Act of 2008 (P.L. 110-233, 122 Stat. 881) is an unfair trade practice under Chapter 15.

Notice of Intended Action was published in the Iowa Administrative Bulletin on May 20, 2009, as **ARC 7797B**. A public hearing was held on June 10, 2009, at the offices of the Iowa Insurance Division, 330 Maple Street, Des Moines, Iowa 50319. No comments were received at the hearing. The amendment was also Adopted and Filed Emergency and was published on May 20, 2009, as **ARC 7796B**, effective May 22, 2009.

The amendment is intended to implement Iowa Code chapter 507B.

This amendment will become effective August 19, 2009, at which time the Adopted and Filed Emergency amendment is hereby rescinded.

The following amendment is adopted.

Adopt the following **new** subrule 15.11(5):

15.11(5) Genetic information. Any action by an insurer that is not in compliance with Title I of the Genetic Information Nondiscrimination Act of 2008 (Public Law 110-233, 122 Stat. 881) shall be considered an unfair trade practice and shall be subject to the penalties of Iowa Code chapter 507B and of these rules.

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